Application No.: 10/043,104 Docket No.: M4065.0317/P317-B

## **REMARKS**

Claim 28 has been amended for clarity. Claim 39 has been added to round out the scope of protection afforded the invention. No new matter has been included. Claims 29-33 have been cancelled. Claims 28, 34, and 39 are pending in the present application.

Claims 28-34 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1-6 of U.S. Patent No. 6,184,465. A terminal disclaimer, filed herewith, obviates the rejection.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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